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Letter dated 13 September 2004 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

The Counter-Terrorism Committee has received the attached addendum to the third report from Kyrgyzstan submitted pursuant to paragraph 6 of resolution 1373 (2001) (see annex). I should be grateful if you could arrange for the present letter and its annex to be circulated as a document of the Security Council.

(*Signed*) Andrey I. **Denisov**
Chairman
Security Council Committee established pursuant to
resolution 1373 (2001) concerning counter-terrorism

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Annex

Letter dated 13 September 2004 from the Permanent Representative of Kyrgyzstan to the United Nations addressed to the Chairman of the Counter-Terrorism Committee

In addition to our letter dated 10 August 2004 regarding the answers to the questions and additional information (additional report) on the report of the Kyrgyz Republic submitted pursuant to paragraph 6 of Security Council resolution 1373 (2001), I have the honour to transmit herewith the additional information about the proposals of the working group for the introduction of amendments to the current criminal legislation relating to the increase in penalties for participation in terrorist activity (paragraph 2 (e) of the resolution) and information regarding the controls on the issuance of identity papers and travel documents (paragraph 2 (g) of the resolution) (see enclosure).

(*Signed*) Nurbek **Jeenbaev**
Permanent Representative
Permanent Mission of the Kyrgyz Republic to the United Nations

Enclosure

[Original: Russian]

Information from the Kyrgyz Republic on subparagraphs 2 (g) and 2 (e) of Security Council resolution 1373 (2001)

Subparagraph 2 (g)

Question:

Please explain how procedures for issuance of identity papers and travel documents prevent counterfeiting, forgery or fraudulent use of such documents and what other measures are used to prevent their forgery, etc.

Response:

Security issues surrounding the issuance of identity papers and travel documents constitute a top priority for the Government of the Kyrgyz Republic.

The Government is taking active measures in this regard, with the support of international organizations. Although some progress has undoubtedly been achieved in this area, certain issues have unfortunately not yet been fully resolved.

In particular, the low level of security of identity papers and travel documents in the Kyrgyz Republic has remained a key problem. This situation has created opportunities for negative and unacceptable phenomena such as promoting international terrorism and extremism, illicit removal of and trafficking in persons, and other criminal activities.

Thus, in order to modernize the passport system in the Kyrgyz Republic and bring it in line with international standards, the Government, together with the International Organization for Migration (IOM) and a number of other international organizations, launched an initiative to introduce new, secure travel documents.

In November 2003, a memorandum of understanding was signed between the Government and the IOM Mission in the Kyrgyz Republic concerning the modernization of the passport system in the Kyrgyz Republic. This initiative formed part of a regional project to strengthen immigration and border controls in Kazakhstan and Central Asia.

The main areas of cooperation under the memorandum were defined as follows:

1. Improvement of the passport and travel documents system of the Kyrgyz Republic;

2. Development of State information resources to support the system.

For the Government of the Kyrgyz Republic, the main partner identified to implement the joint IOM-supported project was the State Agency for Information Resources and Technology, established by presidential decree No. 377 of 21 November 2003. This decree also approved the Plan for establishing and developing basic automated State information resources in the Kyrgyz Republic.

The Government of the Kyrgyz Republic, through the State Agency for Information Resources and Technology, quickly achieved considerable progress,

with the support of IOM. An international call for tender was announced for passport production, and was won by the Moldovan company "Registru". The company will produce secure travel documents that comply with the standards of the International Civil Aviation Organization (ICAO) and will put in place an automated passport identification system for Kyrgyz citizens that complies with modern international standards.

The Government adopted resolution No. 557 of 27 July 2004 approving the contents, specifications and 2004 specimen for passports for all citizens of the Kyrgyz Republic.

On 28 July 2004, a pilot issuance took place in the centre producing the new passports, with the participation of the President and other leading officials.

Thus, practical steps have been initiated in the Kyrgyz Republic for the issuance of new identity papers and travel documents that comply with modern international standards.

Question:

Subparagraph 2 (e) of the resolution requires States, inter alia, to ensure in their domestic law that punishment **reflects the seriousness of terrorist acts**. In reply to this subparagraph, Kyrgyzstan indicated in its second report (at page 14) that a **working group** was established to draw up proposals for the introduction of amendments to the current criminal legislation relating to the increase in penalties for participation in terrorist activity. The CTC would be grateful **to receive a progress report on the proposals**.

Response:

Currently, two bills are before the Parliament, consideration of which has been postponed to autumn 2004:

1. A bill introducing amendments to the Code on Administrative Responsibility, which would establish administrative liability for failure by organizations conducting transactions involving monetary or other movable and/or fixed assets to comply with the provisions of the legislation to combat the financing of terrorism and the laundering of income obtained by criminal means, relating to the recording, storage and provision of information concerning transactions that are subject to compulsory monitoring, as well as internal monitoring procedures;

2. A bill introducing amendments to the Criminal Code, proposing a complete revision of article 183 on the laundering of income obtained by criminal means and a new article 226-1 establishing liability for the financing of terrorism.